

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Tamara Jean Scott (Schumaker) and
Douglas Dwight Bennett,

Case No. 12-14779

Plaintiffs,

Honorable Nancy G. Edmunds

v.

Bank of America, N.A., Bank of America
Home Loans, Inc., f/k/a Countrywide Home
Loans, and Fannie Mae,

Defendants.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S APRIL 18,
2013 REPORT AND RECOMMENDATION [21]**

This matter is before the Court on the magistrate judge's April 18, 2013 report and recommendation on Plaintiffs Tamara Jean Scott (Schumaker) and Douglas Dwight Bennett's mortgage-related cause of action against Defendants Bank of America, Bank of America Home Loans, and Fannie Mae. (Dkt. 21.)

The magistrate judge recommended that the Court dismiss Plaintiffs' complaint with prejudice because Plaintiffs could not challenge the state court's prior judgment, Plaintiffs did not have a private cause of action under some of the statutes she attempted to sue under, because her claims were barred by the statute of limitations, and because she lacked the factual support to survive a Rule 12(b)(6) motion.

The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate

judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at *1 (E.D.Mich. Aug. 24, 2012) (citation omitted).

The Court nevertheless agrees with the magistrate judge's recommendation. The Court therefore ACCEPTS and ADOPTS the magistrate judge's report and recommendation.

The Court therefore GRANTS Defendants' motion to dismiss. (Dkt. 10.)

SO ORDERED.

s/ Nancy G. Edmunds

NANCY G. EDMUNDS

UNITED STATES DISTRICT JUDGE

Date: May 30, 2013

The undersigned certifies that the foregoing document was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on May 30, 2013.

s/Johnetta M. Curry-Williams

Case Manager

Acting in the Absence of Carol Hemeyer